

**Subject:** Re: FW: Non-Metro Local Official Consultation Process - comments  
**From:** Eric Taylor <eric\_taylor@dot.state.ak.us>  
**Date:** Fri, 13 Feb 2004 11:51:27 -0900  
**To:** Larry Bredeman <larry.bredeman@tananachiefs.org>  
**CC:** stip@dot.state.ak.us, Jon Dunham <Jon\_Dunham@dot.state.ak.us>, Jerry Rafson <Jerry\_Rafson@dot.state.ak.us>

Dear Mr. Bredemen:

Thank you for your input. We understand your concern for tribal governments. We've received several similar comments. The non-metropolitan local official consultation process does not diminish our communications with federally-recognized tribes.

DOT&PF consultation with federally-recognized tribes was addressed through the efforts of the State-tribal relations team as recently as 2002, and we have a [department policy on government-to-government relations with federally-recognized tribes](#) in place that I think answers your concerns. Mark O'Brien is the DOT&PF point of contact (907-465-6990) if you would like to know more.

The purpose of the non-metropolitan local official consultation process is to bring us into compliance with a federal rule that clearly sets forth a requirement for consultation with general purpose local government officials in our federally-funded transportation planning processes (specifically the Statewide Transportation Plan and the Surface Transportation Improvement Program). Specifically, it requires us to consult with officials in non-metropolitan areas, as we are already required to do with officials of metropolitan planning organizations (such as AMATS and FMATS). The distinction being made in this federal rule, and in our process, is not between non-metropolitan civil government and everyone else, but rather between two federally-defined categories (non-metropolitan and metropolitan) of civil government.

It would have been inappropriate to include local governments in the tribal policy we adopted. By the same token, it is not appropriate to include tribes in a process formulated (at national level) to give local governments a greater voice.

Neither process trumps or extinguishes the other.

As the process itself states, it is "**distinct from** DOT&PF's public involvement procedures (17 AAC 05), which provide for multiple means of input into the planning process and access to documents for all interested organizations, interest groups, and the public at large through appropriate public involvement methods."

In retrospect, we probably should have referenced our policy on government-to-government relations with federally-recognized tribes as well. We will adjust the final process text to do so.

Sincerely,  
Eric Taylor  
Division of Program Development

Larry Bredeman wrote:

Comments-due: 02/13/2004

The Tanana Chiefs Conference is pleased to provide comments regarding the importance of consultation, cooperation,

and coordination among Tribal governments with federal, state, and local agencies in developing a Statewide Transportation Improvement Program (STIP). This subject is of great interest and concern among the Interior Tribes of the TCC/Doyon Region where infrastructure and transportation needs lists are long and funding for these projects has become increasingly difficult to secure. The BIA - Indian Reservation Road (IRR) Inventory Program provides limited funding for transportation improvements on behalf of federally recognized Tribal Governments in Alaska. It has been determined by the Alaska Department of Transportation (ADOT) that these BIA-IRR federal funds can be used to provide the proposed 9% cash match that would be required by the state before STIP projects receive funding for rural villages. Leveraging these types funding resources is critical in addressing the transportation needs of Native communities and should be pursued whenever possible to bring STIP projects to design and construction. In regard to the state's definition of a Non-metropolitan local official, we here at TCC are alarmed by the omission of Tribal Governments here in Alaska.

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In my most evil moments I was convinced that I was doing good, and I was well supplied with systematic arguments. It was only when I lay there on rotting prison straw that I sensed within myself the first stirrings of good. Gradually it was disclosed to me that the line separating good and evil passes not through states, nor between classes, nor between political parties either - but right through every human heart - and through all human hearts.  
-Aleksandr Solzhenitsyn